

IN THE UNITED STATES DISTRICT COURT
FOR THE MIDDLE DISTRICT OF NORTH CAROLINA

TEODORO CAMPOS RAYO,)
Petitioner,)
v.) 1:14CV326
FRANK L. PERRY,)
Respondent.)

ORDER

The Recommendation of the United States Magistrate Judge was filed with the Court in accordance with 28 U.S.C. § 636(b) and, on February 9, 2015, was served on the parties in this action. Petitioner filed objections to the Recommendation. (Docs. 12, 13.) The Court has appropriately reviewed the portions of the Magistrate Judge's Memorandum Opinion and Recommendation to which objection was made and has made a *de novo* determination in accord with the Magistrate Judge's Memorandum Opinion and Recommendation. The Court therefore adopts the Magistrate Judge's Memorandum Opinion and Recommendation.

IT IS THEREFORE ORDERED that Respondent's Motion for Summary Judgment (Doc. 5) is GRANTED and that the Petition (Doc. 2) is DENIED. A Judgment dismissing this action will be entered contemporaneously with this Order. Finding no substantial issue for appeal concerning the denial of a constitutional right affecting the conviction, nor a debatable procedural ruling, a certificate of appealability is not issued.

This, the 25th day of March, 2015.

/s/ Loretta C. Biggs
United States District Judge